Reg. No. M. 1175

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The Mysore Gazette

(PUBLISHED BY AUTHORITY)

EXTRAORDINARY

BANGALORE, TUESDAY, MARCH 14, 1950.

PART IV

Section 2-A.

BILLS, SELECT COMMITTEE REPORTS, IF ANY, THEREON AND ACTS OF MYSORE.

NOTIFICATION.

Order No. L.D. 1860—Legis. 40-49-1, Bangalore, dated 14th March, 1950.

Ordered that the accompanying Mysore Village Panchayet (Amendment) Ordinance, 1950, which was promulgated by the Rajpramukh of Mysore, on the 14th day of March 1950, be published as Mysore Ordinance No I of 1950, in the *Mysore Gazette*, for general information.

B. S. PUTTASWAMY,
Legal Remembrancer and
Secretary to Government,
Law Department.

MYSORE ORDINANCE No. I OF 1950.

THE MYSORE VILLAGE PANCHAYET (AMENDMENT) ORDINANCE, 1950.

(Promulgated by the Rajpramukh of Mysore on the 14th day of March 1950.)

An Ordinance further to amend the Mysore Village Panchayet Act, 1926.

Preamble.

WHEREAS the Mysore Legislative Assembly is not in session and the Rajpramukh of Mysore is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Mysore Village Panchayet Act, 1926;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Rajpramukh of Mysore is pleased to promulgate the following Ordinance:—

Short title and commencement.

1. (1) This Ordinance may be called the Mysore Village Panchayet (Amendment) Ordinance, 1950.

(2) It shall come into force at once.

Substitution of "Commissioner for Rural Development" for "Revenue Commissioner" in Act II of 1926.

2. In the Mysore Village Panchayet Act, 1926, (hereinafter referred to as the said Act), for the words "Revenue Commissioner", wherever they occur, the words "Commissioner for Rural Development", shall be substituted.

Insertion of new section 30-A in Act II of 1926.

3. After section 30 of the said Act, the following section shall be inserted, namely:—

Prohibition of use of any place as a dairy, hotel, etc., without license.

"30-A. (1) No place within the jurisdiction of a Panchayet shall be used as a dairy, hotel, restaurant, eating house, coffee house, sweetmeat shop, bakery, boarding house or lodging house (other than a students' hostel under public or recognised control), or for manufacturing ice or aerated water, without a license from the Amildar and except in accordance with the conditions specified therein.

(2) A license under this section shall be granted or renewed only on payment in advance of such fee as may be prescribed.

(3) The Amildar may, for reasons to be recorded in writing, refuse to grant or renew a license or suspend or cancel a license granted or renewed under sub-section (1) for default of any of the conditions subject to which the license was granted.

(4) The Amildar may, having regard to the local conditions, fix the number and category of dairies, hotels, restaurants, eating houses, coffee houses, sweetmeat shops, bakeries, boarding or lodging houses, and places for manufacturing ice or aerated water, and direct by order the closure of such places as may be specified by him used for the purposes aforesaid, in excess of those fixed by him :

Provided that no place shall be directed to be closed except after notice of not less than thirty days.

(5) Any person aggrieved by the refusal to grant or renew a license or by the suspension or cancellation of a license under sub-section (3) or by an order directing the closure of a place under sub-section (4) may, within thirty days of the date of communication of the order, appeal to the Deputy Commissioner ; and the decision of the Deputy Commissioner on such appeal shall be final."

Amendment of section 63, Act II of 1926.

4. After clause (*b*) of sub-section (1) of section 63 of the said Act, the following clause shall be inserted, namely :—

"(*b a*) uses any place for any purpose specified in sub-section (1) of section 30-A without a license or after a license is suspended or cancelled or contrary to the conditions imposed by a license or contrary to an order under sub-section (4) of the said section directing the closure of the place ; or"

Amendment of section 65, Act II of 1926.

5. After clause (*g*) of sub-section (2) of section 65 of the said Act, the following clause shall be inserted namely :—

"(*g a*) regulating the grant, renewal, refusal, suspension or cancellation of licenses under section 30-A and prescribing the forms and conditions of such licenses."

Repeal and Savings.

6. (1) The Mysore Village Panchayet (Amendment) (Emergency) Act, 1949, (LXVII of 1949), is hereby repealed.

(2) Notwithstanding the repeal by this Ordinance of the Mysore Village Panchayet (Amendment) (Emergency) Act, 1949, anything done or any action taken in exercise of any power conferred by the Mysore Village Panchayet Act, 1926, as amended by the said Emergency Act, shall be deemed to have been done or taken in exercise of the powers conferred by the said Act of 1926 as amended by this Ordinance, and any penalty incurred or proceeding commenced under the said Act of 1926 as amended by the said Emergency Act shall be deemed to be a penalty incurred or proceeding commenced under the said Act of 1926 as amended by this Ordinance as if this Ordinance were in force on the day on which such thing was done, action taken, penalty incurred or proceeding commenced.

JAYA CHAMARAJA WADIYAR,

Rajpramukh of Mysore.

Printed by the Director of Printing, Stationery and Publications at the Government Press, Bangalore.